

8/30/04

Attorney's Docket No.: 17101-017003/813C

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Emory V. Anderson, et al.      Art Unit : 1641  
Serial No. : 09/717,478      Examiner : Davis, D. A.  
Filed : November 20, 2000      Customer No.: 20985  
Title : POINT OF CARE DIAGNOSTIC SYSTEMS

**Mail Stop Issue Fee**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449, cited references, Statement for Supplemental Disclosure Statement in Accordance with 37 C.F.R. § 1.97(e), Petition in Accordance with 37 C.F.R. § 1.87(d)(ii), return postcard, and a check for the requisite fee of \$180.00 for filing in connection with the above-captioned patent application.



The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17101-017003  
**Address all correspondence to:**  
Stephanie L. Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
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email: seidman@fr.com

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EV 399295995 US  
Date of Deposit August 26, 2004  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop: Issue Fee Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman



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Alexandria, VA 22313-1450

**PETITION IN ACCORDANCE WITH 37 C.F.R. §1.97 (d)(ii)**

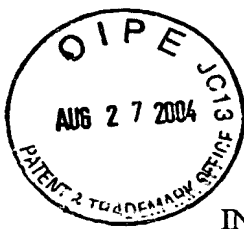
Dear Sir:

Applicant hereby petitions for the consideration of the accompanying Supplemental Information Disclosure Statement. The statement is provided to make references of record in this application. The references were cited in a communication dated June 29, 2004, from the European Searching Authority in connection with European Patent application No. 2079688.4, which is a divisional of European Patent application No. 99906714.3, which is PCT/US99/02282, which claims priority to U.S. Application Serial Nos. 09/017,901 and 09/063,497. The above-captioned application also claims priority to the U.S. Application Serial Nos. 09/017,901 and 09/063,497. Thus, each item of information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a corresponding or related foreign application not more than three months prior to the filing of the attached Supplemental Information Disclosure Statement. A Statement to this effect is provided herewith.

Respectfully submitted,

Stephanie L. Seidman  
Reg. No. 33,779

**Dated: August 26, 2004**  
Attorney Docket No. 17101-017003 / 813C  
**Address all correspondence to:**  
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**MAILSTOP: Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT IN ACCORDANCE WITH 37 C.F.R. § 1.97(e)**

Dear Sir:

1) This Statement is being made for the Supplemental Information Disclosure Statement accompanying this Statement.

2) I, Stephanie Seidman, certify that each item of information contained in the accompanying Supplemental Information Disclosure Statement was first cited in a communication from the European Searching Authority dated June 29, 2004 in connection with European Patent application No. 2079688.4, which is a divisional of European Patent application No. 99906714.3, which is PCT/US99/02282, which claims priority to U.S. Application Serial Nos. 09/017,901 and 09/063,497. The above-captioned application also claims priority to the U.S. Application Serial Nos. 09/017,901 and 09/063,497. Thus, each item of information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a corresponding or related foreign application not more than three months prior to the filing of the attached Supplemental Information Disclosure Statement.

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"Express Mail" Mailing Label Number EV 399295995 US  
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Stephanie L. Seidman

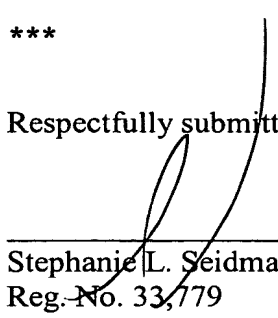
Applicant : Emory V. Anderson, et al.  
Serial No. : 09/717,478  
Filed : November 20, 2000  
Statement for sIDS  
Page : 2 of 2

Attorney's Docket No.: 17101-017003 / 813C

3) The person making this Statement is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

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Respectfully submitted,



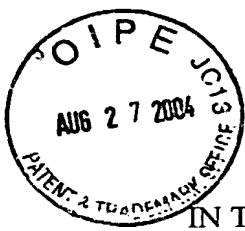
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Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17101-017003 / 813C

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**MAILSTOP: Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. §1.97(d) and includes a Statement in accordance with 37 C.F.R. §1.97(e). The Statement applies to all references listed on Form PTO-1449 (1 page), provided herewith. Because this Supplemental Information Disclosure Statement is filed after receipt of a Notice of Allowance but before payment of the Issue fee, the requisite fee of \$180 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98.

The items of information contained in this Supplemental Information Disclosure Statement were first cited in a communication from the European Searching Authority dated June 29, 2004 in connection with European Patent application No. 2079688.4, which is a divisional of European Patent application No. 99906714.3, which is PCT/US99/02282, which claims priority to U.S. Application Serial Nos. 09/017,901 and 09/063,497. The above-

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Stephanie L. Seidman

captioned application also claims priority to the U.S. Application Serial Nos. 09/017,901 and 09/063,497. Thus, these two items of information were first cited in a communication from a foreign patent office in a corresponding or related foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

Form PTO-1449 (1 page), a European Search report, and copies of the cited documents are provided herewith in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common:

<u>Docket No.</u>	<u>Filing Date</u>	<u>U.S.S.N</u>
801F	1/11/2002	10/043,356
801G	6/4/2002	10/164,053
813D	11/20/2000	09/717,355
813E	6/25/2004	10/877,122
826	2/6/2004	10/774,144
P827	7/30/2004	60/592,803
P828	7/30/2004	60/592,825
P829	7/30/2004	60/592,804
P830	7/30/2004	60/592,823
P831	7/30/2004	60/592,824

<u>Docket No.</u>	<u>Filing Date</u>	<u>Int'l App. No.</u>
826PC	2/6/2004	PCT/US2004/003428

Although this document is made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that no other material information as defined in 37 C.F.R. §1.56(b) exists.

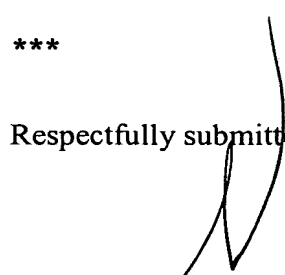
Applicant : Emory V. Anderson, et al.  
Serial No. : 09/717,478  
Filed : November 20, 2000  
Supplemental IDS  
Page : 3 of 3

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Applicant respectfully requests that the Examiner review the foregoing references and that they be made of record in the file history of the above-captioned application.

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Respectfully submitted,



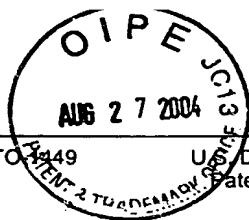
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Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17101-017003 (24727-813C)

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Substitute Form PTO 3449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17101-017003 / 813C	Application No. 09/717,478
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant Emory V. Anderson, et al.	
		Filing Date November 20, 2000	Group Art Unit 1641

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A	4,264,560	4/28/1981	Natelson			

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B	303110	2/15/1998	EP				

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
		N/A

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. POINT OF CARE DIAGNOSTIC SYSTEMS	